IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 5491 of 2005(D)

PETITIONER:

R.RAMACHANDRAN,
KARIMBINKUDU, POVATHOOR EAST, P.O. KULAKKADA.

BY ADV. SRI.P.SANTHALINGAM
SRI.A.D.SHAJAN

RESPONDENTS:

1. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   CO-OPERATIVE DEPARTMENT, SECRETARIATE,
   THIRUVANANTHAPURAM.

2. **JOINT REGISTRAR OF CO-OPERATIVE**
   SOCIETIES (G), KOLLAM.

3. **THE POOVATHOOR EAST SERVICE CO-OPERATIVE**
   BANK LTD. NO.3503, KALAYAPURAM P.O., KOLLAM DIST.,
   REPRESENTED BY ITS SECRETARY.

4. **REGISTRAR,**
   CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

***ADDL.R5 IS IMPLEADED:**

R5. O.RAJAN,
KRISHNA VILASATH KIZHEKATHIL,
KOOVATTUR KIZHAKKU, KALAYAPURAM P.O.,
KOLLAM DISTRICT.

(*ADDL.R5 IS IMPLEADED AS PER ORDER DTD. 4/12/2007 IN I.A.NO.2810/2005)

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.PETER JOSE CHRISTO
SRI.P.PARAMESWARAN NAIR, ADDL.R5
BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

APPENDIX

PETITIONER'S EXHIBITS:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.5491 of 2005-D

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Dated this the 4th day of December, 2007.

JUDGMENT

The impugned order is, going by paragraph 7 of the counter affidavit, passed on the ground that the petitioner did not produce the exemption orders which are relied on by him. It is pointed out that Exts.P5 and P6 are the exemption orders which are relevant. Under such circumstances, this writ petition is disposed of directing that the petitioner will be heard again by the competent authority which issued the impugned order and the relevance of Exts.P5 and P6 will be considered. Let a final decision be issued in accordance with law, within an outer limit of three months from the date of receipt of a copy of this judgment.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/